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Docket No. 82-561

In the Supreme Court of the United States

October Term, 1982

JESSE J. JOHNSON
Petitioner

vs

JOHN O. MARSH, JR.,
in his official capacity as Secretary of the Army;
The United States Department of the Army,
and his agents, assigns and successors in office.
Respondents

PETITIONER'S REPLY BRIEF OPPOSING THE MEMORANDUM FOR THE RESPONDENTS IN OPPOSITION

JESSE J. JOHNSON
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Hampton, VA 23666
804-838-1244
PETITIONER, PRO SE

No. 82-561
IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1982

JESSE J. JOHNSON, PETITIONER

v.

JOHN O. MARSH, JR.,
IN HIS OFFICIAL CAPACITY AS SECRETARY OF THE ARMY, THE DEPARTMENT OF THE ARMY, HIS AGENTS, ASSIGNS AND SUCCESSORS IN OFFICE, RESPONDENTS

PETITIONER'S REPLY BRIEF OPPOSING THE MEMORANDUM FOR THE RESPONDENTS IN OPPOSITION

JESSE J. JOHNSON
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804 838 1244
PETITIONER, PRO SE

1. The judgement of the Court of Appeals in this civil case was entered on 20 April 1982 (PA 4), and renearing was denied on May 28, 1982 (PA 3). The Chief Justice extended time to September 25, 1982 (PA 2). The pro se petitioner timely filed his Writ of Certiorari on Thursday, 23 September 1982 in the Post Office by certified mail, in accordance with his experience of 13 years in filing complaints and lower court cases and his interpretation of the Supreme Court Rules.(PA 63)

2. The issue is not jurisdictional in 28 USC 2101(C) but compliance with the Rules of the Supreme Court for a pro se petitioner's first Supreme Court case. The issue of the Supreme Court Rule 28.2 has never been addressed by the Supreme Court as to pro se petitioners in regards to a notarized statement by a member of the Bar of this court.

3. Respondents' Memorandum for the Respondents was untimely filed deliberately on 9 November 1982 and coordinated with the transfer of petitioner's case to the Court Conference on November 10, 1982 for consideration on 24 November 1982 and for announcement on 29 November 1982. Such delays are unconstitutional and deny petitioner adequate time and notice to research and prepare his Reply Brief in response to written contentions in court against him in the highest court in the country. Petitioner cannot understand why his case was sent so hurriedly to the Court Conference without notice.

4. Respondent should have filed his memorandum on or before 27 November 1982, 30 days after docketing, or have applied for extension of time with notice to petitioner. Respondents, knowing the

rules and the law, have no more rights to untimely file than petitioner. Such violations of petitioner's rights for 13 years have been coordinated against petitioner by the defendants and the lower courts. The Solicitor General continues these violations. This is the primary issue in the Supreme Court.

5. Petitioner tried until the date of mailing his petition to find an attorney to represent him, but found them refusing to accept Equal Employment Opportunity cases and complaints against judges in the Eastern District for the Federal Court in Virginia and reluctant to make suggestions or to sign anything. I do not know an attorney who would sign a notarized statement.

6. Respondents have experienced attorneys and staffs. Petitioner has none of these. There is no excuse for filing their memorandum untimely.

7. It is therefore respectfully submitted that the petition for a Writ of Certiorari by petitioner be accepted and that respondents' opposition be denied.

JESSE J. JOHNSON
Pro se
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Hampton, Virginia 23666
(804) 838-1244

CERTIFICATE OF SERVICE

I hereby certify that I have served three (3) copies of this petition for a Reply Brief upon counsel of record, Rex E. Lee, Solicitor General, Department of Justice, Washington, D.C. 20530 and 40 copies to the Supreme Court Clerk by courier on or before November 23, 1982 for consideration by the Court Conference on November 24, 1982.

JESSE J. JOHNSON
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V 067 522 111

RECEIPT FOR INSURED MAIL
DOMESTIC — INTERNATIONAL

ADDRESSED FOR DELIVERY AT
(Post Office, State and Country)
petition
Wash. D.C. 20543

POSTAGE	AIR ☐	$ 5.09
INSURANCE COVERAGE		FEE
$ 50.00		$ .85
SPEC. HANDLING		¢
DOMESTIC ONLY	SPECIAL DELIVERY	$
	RESTRICTED DELIVERY	¢
RETURN RECEIPT (Except to Canada)		¢
FRAGILE ☐ LIQUID ☐ PERISHABLE ☐		TOTAL $5.94
		CUSTOMER OVER
		POSTMASTER By

PHILADELPHIA PA MAIN OFFICE SFP 28 1982

V 067 522 112

RECEIPT FOR INSURED MAIL
DOMESTIC — INTERNATIONAL

ADDRESSED FOR DELIVERY AT
(Post Office, State and Country)
petition
Norfolk Va. 23501

POSTAGE	AIR ☐	$ .86
INSURANCE COVERAGE		FEE
$ 50.00		$ .86
SPEC. HANDLING		¢
DOMESTIC ONLY	SPECIAL DELIVERY	$
	RESTRICTED DELIVERY	¢
RETURN RECEIPT (Except to Canada)		¢
FRAGILE ☐ LIQUID ☐ PERISHABLE ☐		TOTAL $1.72
		CUSTOMER OVER
		POSTMASTER By

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V 067 522 113

RECEIPT FOR INSURED MAIL
DOMESTIC — INTERNATIONAL

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petition
Wash. D.C. 20310

POSTAGE	AIR ☐	$ .86
INSURANCE COVERAGE		FEE
$ 50.00		$ .86
SPEC. HANDLING		¢
DOMESTIC ONLY	SPECIAL DELIVERY	$
	RESTRICTED DELIVERY	¢
RETURN RECEIPT (Except to Canada)		¢
FRAGILE ☐ LIQUID ☐ PERISHABLE ☐		TOTAL $1.72
		CUSTOMER OVER
		POSTMASTER By

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PA 63

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